

**Department of Workforce Service (DWS)
Family, Friend, & Neighbor (FFN)
Approval Requirements**

30-1 Purpose

- (1) These requirements define the procedures for obtaining and renewing a DWS FFN Approval.
- (2) These requirements establish the foundational standards necessary to protect the health and safety of children in DWS FFN Approved homes.

30-2 Definitions

- (1) "CCL" means the Child Care Licensing Program in the Department of Health.
- (2) "Children in Care" are those children for whom the provider receives direct or indirect compensation for their care and all other children younger than 13 years old who are in the home when care is provided.
- (3) "Covered Individual" means:
 - (a) When care is being provided in the home of the provider: Everyone 12 years old and older who lives (stays continuously for 2 weeks or longer) in the same home as the provider.
 - (b) When care is being provided in the home of the child(ren) in care: Everyone 12 years old and older who lives (stays continuously for 2 weeks or longer) in the same home as the child(ren) in care, except the parents or guardians with DWS child care assistance and siblings younger than 18 years old.
- (4) "Emotional abuse" means behavior that could impair a child's emotional development, such as threatening, intimidating, humiliating, or demeaning a child, constant criticism, rejection, profane language, and inappropriate physical restraint.
- (5) "Facility" means the indoor and outdoor areas approved for child care.
- (6) "Health care provider" means a licensed professional with prescriptive authority, such as a physician, nurse practitioner, or physician's assistant.
- (7) "Inaccessible" means:
 - (a) locked, such as in a locked room, cupboard, or drawer;
 - (b) secured with a child safety device, such as a child safety cupboard lock or doorknob device;
 - (c) behind a properly secured child safety gate;
 - (d) located in a cupboard or on a shelf at least 36 inches above the floor; or
 - (e) located in a bathroom cupboard or on a bathroom shelf at least 36 inches above a surface on which a child could stand or climb.
- (8) "Infant" means a child age birth through 11 months.
- (9) "Living in the same home" means the person:
 - (a) shares any of the following with the provider:
 - (i) a kitchen
 - (ii) a bathroom
 - (iii) a living area (the living room and/or bedroom)
 - (iv) an entrance
 - The person shares the entrance when, for example, they must walk through the living room to access the stairs to his/her basement apartment.
 - The person has a separate entrance when, for example, they use a common door from the outside but can access the stairs to his/her basement apartment without going through any area of the main home and there is not an interior doorway (inside the home) between the living areas.
 - (v) an address – the person does not have a separate residential/physical address recognized by the post office (a PO Box is not a separate mailing address; or
 - (b) lives in a separate structure with running water and electricity that is on the same property as the provider (such as an apartment over the garage or a camper in the yard) but shares the kitchen and/or bathroom with the provider; or
 - (c) could have unsupervised contact with the children in care.
- (10) "Parent" means the parent or legal guardian of a child in care.
- (11) "Provider" means the person approved to provide child care.

- (12) "Related children" mean the children for whom the provider is the parent, legal guardian, stepparent, grandparent, step grandparent, great grandparent, sibling, half sibling, step sibling, aunt, step aunt, great aunt, uncle, step uncle, or great uncle.
- (13) "School age" means between 5 years old and 12 years old.
- (14) "Sexual abuse" means abuse as described in Utah Code, Section 76-5-404-1.
- (15) "Stationary play equipment" means equipment such as a climber, slide, swing, merry-go-round, or spring rocker, which is meant to stay in one location when in use.

30-3 Approval Details

- (1) DWS FFN Approvals are required for providers to be eligible to receive child care subsidy payments from DWS.
- (2) DWS FFN Approvals are active for one year.
- (3) DWS FFN Approvals are for the provider and the approved location and are not assignable or transferable. An application for a new DWS FFN Approval is required for a different provider or for a different location.
- (4) DWS FFN Approvals will only be given for child care in the home of the provider and/or in the home of the child(ren) in care.
- (5) DWS FFN Approvals will not be given if there is an active DWS FFN Approval, Child Care License, or Child Care Certificate at the same location.
- (6) DWS FFN Approvals will not be given if there is a foster care license at the same location.
- (7) A DWS FFN Approval is not a guarantee of payment from DWS. The DWS customer applying for child care assistance must be eligible and comply with the DWS eligibility processes. The DWS customer has specific application, review, and reporting time frames that may be different from the DWS FFN Approval process. Late verifications may result in a loss of benefits and/or require the DWS customer to complete a new child care assistance application. The DWS customer is responsible for any costs not covered by DWS.

30-4 New and Renewal Approvals

- (1) To receive a new DWS FFN Child Care Approval, the applicant must do all of the following:
 - (a) Read the requirements.
 - (b) Submit the following:
 - (i) a completed DWS FFN Approval Application,
 - (ii) a completed Background Check form for each Covered Individual, and
 - (iii) fingerprints and the fingerprint processing fee for each Covered Individual 18 years old and older.
 - (c) Complete New Provider Training.
 - (d) Ensure all Covered Individuals passed the CCL background check.
 - (e) Have a home inspection and be in compliance with the requirements.
 - (f) Show documentation of their lawful presence in the United States.
- (2) A DWS FFN Approval application will be denied when:
 - (a) The provider does not complete the CCL background check process within 60 calendar days of submitting the application;
 - (b) The provider does not complete New Provider Training within 60 calendar days of submitting the application;
 - (c) All Covered Individuals do not pass the background check;
 - (d) The provider is not lawfully in the United States;
 - (e) The provider is not there for the home inspection; and/or
 - (f) The provider does not show compliance with the requirements within 60 calendar days of submitting the application.
- (3) To renew a DWS FFN Approval, the provider must:
 - (a) Submit a Request Renewal through their CCL Portal at least 30 calendar days before the expiration of their current approval, and
 - (b) Have an announced home inspection and be in compliance with all requirements before the end date of the approval.

- (4) A DWS FFN Approval will be not be renewed when:
 - (a) The provider does not submit a Renewal Request through their CCL Portal;
 - (b) The provider is not there for the announced home inspection; and/or
 - (c) The provider does not show compliance with all requirements.

30-5 Inspections

- (1) Before a new approval is issued, the provider will have an announced home inspection to assess compliance with all requirements. When noncompliance to any requirement is found during this inspection, the provider will be given a date to come into compliance with the requirement(s). The application will be denied when:
 - (a) The provider is not there for the home inspection.
 - (b) The provider does not show compliance with the requirement(s) by the required date.
- (2) During the approval year, the provider will have an unannounced inspection to assess compliance with all requirements. Before this inspection, the provider will be contacted and asked the days and times they are providing child care. When noncompliance to any requirement is found during this inspection, the provider will be given a date to come into compliance with the requirement(s). The approval will be deactivated when:
 - (a) The provider does not contact the licenser with the days and times they are providing child care.
 - (b) The provider is not there for the inspection. (Several attempts will be made to complete the inspection.)
 - (c) The provider does not show compliance with the requirement(s) by the required date.
- (3) Before the expiration date of the approval, the provider will have an announced inspection to assess compliance with the requirements. When noncompliance to any requirement is found during this inspection, the provider will be given a date to come into compliance with the requirement(s). The approval will be deactivated when:
 - (a) The provider is not there for the inspection.
 - (b) The provider does not show compliance with the requirement(s) by the required date.
- (4) When there are concerns with compliance, the provider will have an unannounced inspection to assess compliance with the requirements. When noncompliance to any requirement is found during this inspection, the provider will be given a date to come into compliance with the requirement(s). When the provider does not show compliance with requirements by the required date, the approval will be deactivated.
- (5) Providers can appeal any action taken by the Child Care Licensing staff by submitting a Child Care Licensing Appeal Request Form. The form is submitted through the Child Care Licensing Portal.

30-6 Administration and Children's Records

- (1) The provider must take all reasonable measures to protect the safety of the children in care and must not engage in or allow conduct that unreasonably endangers the children in care or is adverse to the health, morals, welfare, and safety of children in care.
- (2) The provider must maintain the home, outdoor play area, toys, and equipment in a safe manner to prevent injury to children in care. This includes the proper handling, storage, and disposal of hazardous materials and bio-contaminants.
- (3) The provider must ensure parents have access to all areas of the home used for care.
- (4) When caring for children with special needs, the provider must make any necessary accommodations to meet their needs.
- (5) The provider must ensure each child in care has current immunizations.
- (6) The provider must have documentation of current immunizations for each child in care who does not attend school (children who are homeless may have a 90 day exemption) and have the documentation available for review by Child Care Licensing staff.
- (7) Within 10 calendar days of the change, the provider must notify the Child Care Licensing staff of changes in any of the following:
 - (a) their name;
 - (b) their telephone number or email address;
 - (c) their child care schedule;
 - (d) the number of children of DWS customers in care; and/or
 - (e) the DWS customer(s) whose child(ren) are in care and their DWS case number(s).

30-7 Personnel and Training

- (1) The provider must:
 - (a) be at least 18 years old; and
 - (b) have knowledge of and comply with all applicable federal, state, and local laws and rules, including fire requirements.
- (2) The provider can only live in the same home as the child(ren) in care for payment when one or more of the children have special needs. When care is in the home of the provider, a parent of the child(ren) in care for payment cannot live in that home.
- (3) The provider cannot be a sibling who lives in the same home as the children in care for payment.
- (4) The provider cannot be a parent, specified relative or legal guardian of the children in care for payment. This includes a divorced spouse, a step-parent, a spouse of a specified relative, and a spouse of a legal guardian.
- (5) The provider cannot provide care when there is a parent of the child(ren) in the home, including when a DWS customer works from home.
- (6) At least 30 calendar days before the expiration date of their approval, the provider must complete at least 5 hours of ongoing child care training and ensure the training includes at least the following topics:
 - (a) disaster preparedness, response, and recovery;
 - (b) pediatric first aid and CPR;
 - (c) children with special needs;
 - (d) safe handling and disposal of hazardous materials;
 - (e) the prevention, signs, and symptoms of child abuse and neglect, including child sexual abuse, and legal reporting requirements;
 - (f) principles of child growth and development, including brain development;
 - (g) prevention of shaken baby syndrome and abusive head trauma, and coping with crying babies;
 - (h) prevention of sudden infant death syndrome (SIDS) and use of safe sleeping practices;
 - (i) recognizing the signs of homelessness and available assistance;
 - (j) a review of the Emergency Preparedness, Response, and Recovery Plan; and
 - (k) a review of the DWS FFN Approval Requirements.
- (7) The provider must document the completion of ongoing training and ensure the documentation is available for review by Child Care Licensing staff and includes at least the following:
 - (a) the date of the training;
 - (b) the training topic; and
 - (c) the length of the training.

30-8 Background Checks

- (1) The provider must ensure all Covered Individuals pass Child Care Licensing background checks and be associated with their facility. The provider must submit background check forms, required fingerprints, and required fees for new Covered Individuals.
- (2) Before new Covered Individuals move into the home, the provider must ensure they pass a Child Care Licensing background check.
- (3) Before new Covered Individuals staying in the home for more than 2 weeks arrive at the home, the provider must ensure they pass a Child Care Licensing background check.
- (4) The provider must submit Background Check forms for children who live in the home where care is provided when the children turn 12 years old. These forms must be submitted within 10 working days of the children's 12th birthday.
- (5) The provider must submit another Background Check form, fingerprints, and the fingerprint processing fee when a child who lives in the home where care is provided turns 18 years old. These must be submitted within 10 working days of their 18th birthday.
- (6) The provider must ensure individuals who failed to pass the background check are not on the premises of the home where care is provided.
- (7) Within 48 hours of becoming aware of the conviction, the provider must notify Child Care Licensing Staff of any felony or misdemeanor conviction of a Covered Individual.

30-9 Facility

- (1) The provider must have a flushing toilet and a working hand washing sink accessible to non-diapered children in care.
- (2) The provider must have a working telephone.
- (3) The provider must have a working fire extinguisher.
- (4) The provider must have a working smoke detector on each floor of the home.
- (5) The provider must ensure accessible raised decks or balconies that are 5 feet or higher and open stairwells that are 5 feet or deeper have protective barriers that are at least 3 feet high.
- (6) When there is an outdoor area used by children in care, the provider must ensure unanchored swings and large metal slides are inaccessible to children in care.
- (7) When there is an outdoor area used by children in care, the provider must ensure motor vehicles on blocks are inaccessible to children in care.
- (8) When there is an outdoor area used by children in care, the provider must ensure rebar or metal rods less than 36 inches long sticking up from the ground or out of walls are inaccessible to children in care.

30-10 Ratios and Group Size

- (1) When care is in the home of the provider:
 - (a) When the children in care are all siblings who are related to the provider and there are no other children in care, there is no limit to the number of children in care.
 - (b) When there are children in care who are not siblings who are related to the provider, the provider must ensure there are no more than 8 children in care and no more than 2 of those children are younger than 2 years old. When there are more than 4 children in care who are not related to the provider, the provider must (by statute) have a Child Care Family License or Residential Certificate.
- (2) When care is in the home of the child(ren) in care, only the child(ren) living in the home can be in care, and:
 - (a) When the children in care are all siblings and there are no other children in care, there is no limit to the number of children in care.
 - (b) When there are children in care who are not siblings, the provider must ensure there are no more than 8 children in care and no more than 2 of those children are younger than 2 years old.

30-11 Child Supervision and Security

- (1) The provider, not other individuals in the home or outdoor area, must be awake, physically onsite, and actively supervising children in care at all times. Actively supervising children in care means being inside the home when children in care are inside the home, being outside when children in care younger than 5 years old are outside, knowing the number of children in care at all times, and focusing on the children and not on personal interests.
- (2) The provider, not other individuals in the home or outdoor area, must supervise sleeping infants by:
 - (a) having the infants sleep in a location where they are within sight and hearing of the provider or
 - (b) an in-person observation of the sleeping infants at least once every 15 minutes.
- (3) When a wading pool is used by children in care, the provider, not other individuals in the home or outdoor area, must be at the pool supervising the children in care whenever there is water in the pool.
- (4) When there is a swimming pool that is not emptied after each use on the premises, the provider, not other individuals in the home or outdoor area, must be at the pool supervising children in care whenever they are using the pool or have access to the pool.
- (5) When there is a trampoline on the premises, the provider, not other individuals in the home or outdoor area, must be next to the trampoline supervising the children in care whenever the children in care are on the trampoline.
- (6) To maintain the security and supervision of the children in care, the provider must ensure that each child in care is signed in and signed out each day. The provider must ensure those attendance records are kept for at least three years and are available for review by Child Care Licensing staff.

30-12 Child Guidance and Interaction

- (1) The provider must ensure children in care are not subjected to physical, emotional, or sexual abuse while in care.
- (2) The provider must follow the reporting requirements for the witnessing or suspicion of abuse, neglect, and exploitation found in Section 62A-4a-403 and 62A of the Utah Code.
- (3) The provider must not do any of the following to children in care:
 - (a) use any form of corporal punishment that produces pain or discomfort such as hitting, spanking, shaking, biting, or pinching;
 - (b) restrain their movement by binding, tying, or other form of restraint;
 - (c) shout at them;
 - (d) inflict any form of emotional abuse;
 - (e) force or withhold food, rest, or toileting; or
 - (f) confine them in a closet, locked room, or other enclosure such as a box, cupboard, or cage.

30-13 Child Safety and Injury Prevention

- (1) When there are firearms on the premises, the provider must ensure the firearms are not loaded and are in a cabinet, safe, or area that is locked with a key, combination, or fingerprint lock, unless their use is in accordance with the Utah Concealed Weapons Act or as otherwise allowed by law.
- (2) The provider must ensure empty refrigerators and freezers are inaccessible to children in care.
- (3) The provider must ensure exposed live electrical wires are inaccessible to children in care.
- (4) The provider must ensure portable space heaters, fireplaces, and wood burning stoves, when in use, are inaccessible to children in care.
- (5) The provider must ensure toxic substances are inaccessible to children in care.
- (6) The provider must ensure poisonous plants are inaccessible to children in care.
- (7) The provider must ensure open flames are inaccessible to children in care.
- (8) The provider must ensure open containers of alcohol are inaccessible to children in care.
- (9) The provider must ensure illegal substances are inaccessible to children in care.
- (10) The provider must ensure children in care are protected from unintended access to pools that are not emptied after each use.
- (11) The provider must ensure children in care are protected from unintended access to hot tubs with water in them.
- (12) The provider must ensure children in care are protected from unintended access to water hazards such as ponds, streams and fountains with more than 2 inches of water in them.
- (13) The provider must ensure children in care are protected from unintended access to vehicular traffic.

30-14 Emergency Preparedness and Response

- (1) The provider must have current Red Cross, American Heart Association, or equivalent certification in pediatric First Aid CPR. The provider must ensure the CPR class included hands-on testing.
- (2) The provider must have documentation of current First Aid and CPR certifications and have the documentation available for review by Child Care Licensing staff.
- (3) The provider must have and follow, when needed, a written Emergency Preparedness, Response, and Recovery Plan that is reviewed annually and updated when needed. The provider must ensure the plan is available for review by Child Care Licensing staff and includes procedures for at least:
 - (a) shelter in place,
 - (b) lockdown,
 - (c) evacuation and relocation,
 - (d) communication with parents and reunification of families,
 - (e) continuity of operations, and
 - (f) accommodating infants and toddlers, children with disabilities, and children with chronic medical conditions during emergencies.
- (4) The provider must conduct fire evacuation drills at least quarterly.
- (5) The provider must document the date and time of each fire evacuation drill and ensure the documentation is available for review by Child Care Licensing staff.

- (6) The provider must conduct disaster (other than fire) drills at least yearly.
- (7) The provider must document the date and time of each disaster drill and ensure the documentation is available for review by Child Care Licensing staff.
- (8) In an unforeseen emergency and for up to 24 hours, the provider may use an emergency provider for the children in care. The emergency provider must be at least 18 years old and cannot have a felony or misdemeanor conviction or a substantiated case of abuse or neglect.
- (9) In the case of a life threatening incident or injury or an incident or injury that poses a threat of the loss of vision, hearing, or a limb, the provider must contact emergency personnel immediately and before contacting the parent.
- (10) Within 24 hours of its occurrence, the provider must notify Child Care Licensing staff of any fatality, hospitalization, emergency medical response, or injury that requires attention from a health care provider, unless the medical treatment was part of the child's medical treatment plan. The provider must submit documentation of the incident to Child Care Licensing staff within five working days of the incident.

30-15 Health and Infection Control

- (1) The provider must ensure there is a clean and sanitary environment for the children in care.
- (2) To prevent and control infectious diseases, the provider and children in care must wash their hands thoroughly with liquid soap and warm running water:
 - (a) before handling and/or preparing food;
 - (b) before serving and/or eating meals and snacks;
 - (c) after using the toilet;
 - (d) before administering and/or taking medication;
 - (e) after coming into contact with body fluids (blood, urine, feces, vomit, mucus, and saliva);
 - (f) after playing with or handling animals; and
 - (g) after cleaning and/or taking out garbage.

30-16 Food and Nutrition

- (1) The provider must meet the nutritional needs of the children in care.
- (2) The provider must have parents inform them of any known food allergies of children in care.
- (3) Immediately upon recognizing it, the provider must report to the parent any allergic reaction a child in care has to a particular food.

30-17 Medications

- (1) The provider must ensure prescription medications, over the counter medications, vitamins, and herbal supplements are inaccessible to children in care.
- (2) The provider must have permission from parents before administering medication to children in care.
- (3) Immediately upon recognizing it, the provider must report to the parent any adverse reaction a child in care has to a medication, or any error in the administration of a medication to a child in care.

30-18 Activities

- (1) The provider must ensure the children in care have enough physical activity.
- (2) The provider must ensure parents are aware they:
 - (a) take children in care off the premises, such as to run errands or go to a park; and/or
 - (b) allow children in care to leave the premises, such as to go to a neighbor's house or ride their bikes on the street.

30-19 Play Equipment

- (1) The provider must ensure stationary play equipment accessible to children in care is not over hard surfaces such as cement or asphalt.
- (2) The provider must ensure play equipment is used in a safe manner to prevent injury to children in care.

30-20 Transportation

- (1) While transporting children in care, the provider must ensure that children in care are wearing appropriate individual safety restraints.
- (2) While transporting children in care, the provider must never leave the children in care unattended in the vehicle.
- (3) While transporting children in care, the provider must not be intoxicated or impaired.

30-21 Animals

- (1) The provider must ensure there is no accessible animal that has a history of dangerous, attacking, or aggressive behavior.

30-22 Rest and Sleep

Currently there are no requirements for this section.

30-23 Diapering

Currently there are no requirements for this section.

30-24 Infant and Toddler Care

When there are infants in care:

- (1) The provider must ensure infants sleep in equipment designed for sleep, such as a crib, bassinet, porta-crib, or playpen unless the provider has written instructions from the parent to have the infant sleep in other equipment. Equipment designed for sleep does not include mats, cots, bouncers, swings, or car seats.
- (2) The provider must place infants on their backs for sleeping, unless the provider has written instructions from a health care provider for a different sleep position.